

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA

v.

AARON T. SMITH and
MICHAEL CHARLES MAY

08 CR 512

CRIMINAL COMPLAINT

MAGISTRATE JUDGE KEYS

CASE NUMBER:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 25, 2008 in Will county, in the Northern District of Illinois defendants,

did, by intimidation, take from the person and presence of others, approximately \$18,151.00 in United States Currency belonging to, and in the care, custody, control, management, and possession of a bank, namely, First Midwest Bank, 1415 W. Jefferson Street, Joliet, Illinois, whose deposits were then insured by the Federal Deposit Insurance Corporation,

in violation of Title 18 United States Code, Sections 2113(a) and 2

I further state that I am a(n) Task Force Officer with the Federal Bureau of Investigation and that this complaint is based on the following facts:

See attached affidavit.

FILED

JUN 26 2008 TC

June 26, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Continued on the attached sheet and made a part hereof: X Yes No

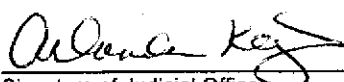

Signature of Complainant

Sworn to before me and subscribed in my presence,

June 26, 2008 at
Date

Chicago, Illinois
City and State

ARLANDER KEYS, U.S. Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

AFFIDAVIT

I, Dale A. Underwood Jr. being duly sworn, state as follows:

1. I am a Task Force Agent with the Federal Bureau of Investigation ("FBI"), and have been so employed for the past twelve years. During my employment I have personally investigated or been involved in investigating over one hundred cases. I am assigned to the FBI Chicago Division Field Office, South Resident Agency, Violent Crimes and Major Offenses Unit. My duties include the investigation of various violent crimes, including violations of Title 18, United States Code, Section 2113, Bank Robbery.

2. This Affidavit is in support of a complaint charging AARON T. SMITH and MICHAEL CHARLES MAY with bank robbery in violation of Title 18 U.S.C. Section 2113(a). The information in this Affidavit is based on my own investigation as well as on information I have received from other sources. This affidavit does not contain all the details of the information known to me regarding the events described herein.

INVESTIGATION

3. On June 25th, 2008, at approximately 8:30 a.m., an African American male, later identified as AARON T. SMITH, robbed the First Midwest Bank, located at 1415 W. Jefferson St., Joliet, Illinois, which was then federally insured by the Federal Deposit Insurance Corporation. Approximately \$18,151.00 of the bank's United States Currency ("USC") was taken during the robbery.

4. According to witness statements, the robber, wearing a white t-shirt, sunglasses, and a hat, approached the teller on duty. The teller was handed a white rectangular piece of paper with

handwritten words in black ink to the effect of, "Put all the money in the bag, all of it."

5. After the first teller read the bank robbery demand note, SMITH went to two other tellers and verbally demanded money from each. Upon receiving the money, SMITH placed the U.S. Currency into a white plastic bag with lettering on it and fled the bank on foot.

6. According to the First Midwest's bank audit, approximately \$18,151.00 of the bank's money was taken during the robbery.

7. The Bank was equipped with a closed circuit surveillance system which captured the robbery. The video depicts a slim African American male wearing a hat and sunglasses approaching the first victim teller and removing money, as the tellers had described.

8. A police dispatcher was contacted about the bank robbery. A witness near the bank gave the first responding officer the license plate number of a black four door vehicle that left the scene. A Joliet police officer then pursued a vehicle matching that description. Once he got close enough to the vehicle he was pursuing, the Joliet police officer was able to determine that the license plate number matched the one given by the witness near the bank. The Joliet police officer then attempted to affect a traffic stop, at which time a short pursuit occurred. Eventually, the driver of the suspect vehicle jumped a curb, lost control of the vehicle, and crashed into a house. Throughout the pursuit, the suspect's speed did not exceed 50 to 60 miles per hour. Upon crashing the vehicle, the driver, MICHAEL CHARLES MAY, was arrested. The passenger, SMITH, was arrested after a short foot pursuit. At the time of his arrest, SMITH was carrying proceeds of the robbery, including prerecorded bait bills. The officers also recovered the demand note from SMITH's pocket. According to documentation maintained by the bank, the prerecorded bait bills found on SMITH's person matched the bait bills that were taken from the bank. After his arrest, Officers conducted an

in-person show-up in the bank with SMITH. Six bank employees identified SMITH as the robber.


Aaron T. Smith interview

9. After his arrest, officers interviewed SMITH at the Joliet Police Department. SMITH acknowledged and waived his Miranda rights. SMITH then confessed to his involvement in the crime. Specifically, among other things, SMITH stated that MAY wrote the demand note and told SMITH to take it into the bank. SMITH stated he took the note into the First Midwest Bank on June 25, 2008, presenting the demand note requesting money, and then leaving the bank with United States Currency in a plastic bag.

Conclusion

10. Based on the foregoing, I believe there exists probable cause that MICHAEL C. MAY and AARON T. SMITH did take, by intimidation, from the person and presence of others, money belonging to and in the care, custody, control, management, and possession of First Midwest Bank, Joliet Illinois, a federally insured institution, in violation of Title 18, United States Code, Sections 2113(a) and 2.

FURTHER AFFIANT SAYETH NOT.



Dale A. Underwood Task Force Agent
Federal Bureau of Investigation Violent Crimes
Task Force

SUBSCRIBED AND SWORN TO BEFORE ME
this 26th day of June, 2008.



UNITED STATES MAGISTRATE JUDGE